

V. REMARKS

Entry of the Amendment is proper under 37 C.F.R. §1.116 because the Amendment: a) places the application in condition for allowance for the reasons discussed herein; b) does not raise any new issue requiring further search and/or consideration because the Amendment amplifies issues previously discussed throughout prosecution; and c) places the application in better form for appeal, should an Appeal be necessary. The Amendment is necessary and was not earlier presented because it is made in response to arguments raised in the final rejection. The amendments to the subject claims do not incorporate any new subject matter into the claims. Thus, entry of the Amendment is respectfully requested.

Claim 24 is rejected under 35 USC 101 because its disclosed invention is inoperative and therefore lacks utility. The claim is amended to obviate the rejection. Specifically, claim 24 is amended to be definite. As recited in amended claim 24, "a player sees the colored image in lieu of the plurality of symbols drawn on the periphery of the reel." Since the display performs a useful task, it is respectfully submitted that the display is operative.

Withdrawal of the rejection is respectfully requested.

Claims 5, 7, 9, 10, 13-15, 19, 20, 24, 25, 32, 34 and 36 are rejected under 35 USC 102 (b) as being anticipated by, or in the alternative, under 35 USC 103(a) as obvious over Loose et al. (U.S. Patent No. 6,517,433) in view of Weatherford et al. (U.S. Patent No. 4,206,920). Claims 6, 11, 16, 17, 21, 22, 26 and 33 are rejected under 35 USC 103(a) as being unpatentable over Loose in view of Weatherford and Yoseloff (U.S. Patent No. 6,299,170). Claims 12, 18 and 23 are rejected under 35 USC 102 (b) as under 35 USC 103(a) as being unpatentable over Loose in view of Weatherford, Yoseloff and further in view of Walker (U.S. Patent Application Publication No. 2003/0224852). The rejections are respectfully traversed.

The following is directed to independent claims 5, 10, 11, 16, 17, 21, 22, and 26.

A. Claims 5, 10, 11, 16, 17 and 21

Claims 5 and 10 are amended by limiting with an image state keeping device recited in claim 6, now canceled. Amended claims 5 and 10 as well as claims 11, 16, 17 and 21 include an image state keeping device for monitoring a signal of an image fed from the display control device so as to control the display device to be in a predetermined state when the image state keeping device detects that the signal of the image is abnormal. The Office Action asserts that the invention disclosed by Yoseloff contains an image keeping device or RAM that detects an abnormal state (power failure) according to column 6, line 8-12 of Yoseloff, where he discloses:

Thus, when the card-game apparatus is disconnected from its main power supply, the data stored in RAM is preserved for approximately ten years. ROM may contain information such as image patterns (memory bit maps) for the playing cards as well as the operating instructions for the CPU.

Since Yoseloff merely discloses RAM and ROM, the following features of claims 5,

10, 11, 16, 17 and 21 distinguish the present invention from Yoseloff:

- Yoseloff discloses only power failure (when the card-game apparatus is disconnected from its main power supply). In contrast, the description in claims 5, 10, 11, 16, 17 and 21, "the signal of the image is abnormal," is not restricted to power failure.

- Yoseloff does not disclose a device that is capable of monitoring a signal of an image.

- Yoseloff does not disclose a device that is capable of controlling a display device to be in a predetermined state.

For the reasons mentioned above, Yoseloff does not disclose "an image state keeping device for monitoring a signal of an image fed from the display control device so as to control the display device to be in a predetermined state when the image state keeping device detects that the signal of the image is abnormal" recited in claims 5, 10, 11, 16, 17 and 21. Therefore, these claims are patentably distinguishable over Loose in view of Weatherford and Yoseloff.

B. Claims 22 and 26

As recited in claims 22 and 26, each of a gaming machine and a display device for a gaming machine has technical features: an image signal control device detects abnormality of a signal of an image, and a transparent image display device displays an image of a relatively high transparency on the display device when the image signal control device detects abnormality of the signal of the image. This indicates that each of the gaming machine and the display device provides the image of the relatively high transparency in lieu of controlling a display device to be in a predetermined state as recited in claims 5, 10, 11, 16, 17 and 21. Accordingly, for the similar reasons discussed above, claims 22 and 26 are patentably distinguishable over Loose in view of Weatherford and Yoseloff.

In summary, it is respectfully submitted that that none of the applied art, alone or in combination, teaches or suggests the features of the independent claims as discussed above. Thus, it is respectfully submitted that one of ordinary skill in the art could not combine the features of the applied art to arrive at the claimed invention because the applied art is devoid of all the features of the claimed invention. As a result, it is respectfully submitted that the independent claims are allowable over the applied art.

Claims 7 and 9 depend from claim 5 and includes all of the features of claim 5. Thus, it is respectfully submitted that the dependent claims are allowable at least for the reason claim 5 is allowable as well as for the features they recite.

Claims 12-15 depend from claim 11 and includes all of the features of claim 11. Thus, it is respectfully submitted that the dependent claims are allowable at least for the reason claim 11 is allowable as well as for the features they recite.

Claims 18-20 depend from claim 17 and includes all of the features of claim 17. Thus, it is respectfully submitted that the dependent claims are allowable at least for the reason claim 17 is allowable as well as for the features they recite.

Claims 23-25 depend from claim 22 and includes all of the features of claim 22. Thus, it is respectfully submitted that the dependent claims are allowable at least for the reason claim 22 is allowable as well as for the features they recite.

Claims 6, 32-34 and 36 are canceled and, as a result, the rejection as applied thereto is now moot.

Withdrawal of the rejection is respectfully requested.

It is respectfully submitted that the pending claims are believed to be in condition for allowance over the prior art of record. Therefore, this Amendment is believed to be a complete response to the outstanding Office Action. Further, Applicant asserts that there are also reasons other than those set forth above why the pending claims are patentable. Applicant hereby reserves the right to set forth further arguments and remarks supporting the patentability of their claims, including the separate patentability of the dependent claims not explicitly addressed herein, in future papers.

In view of the foregoing, reconsideration of the application and allowance of the pending claims are respectfully requested. Should the Examiner believe anything further is desirable in order to place the application in even better condition for

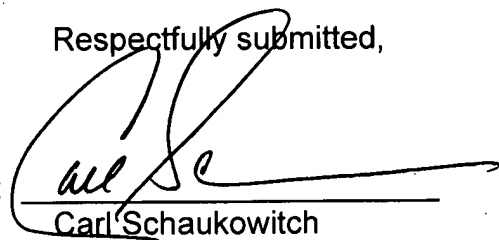
allowance, the Examiner is invited to contact Applicant's representative at the telephone number listed below.

Should additional fees be necessary in connection with the filing of this paper or if a Petition for Extension of Time is required for timely acceptance of the same, the Commissioner is hereby authorized to charge Deposit Account No. 18-0013 for any such fees and Applicant(s) hereby petition for such extension of time.

Respectfully submitted,

Date: February 4, 2008

By:


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Enclosure(s): Amendment Transmittal

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